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STATE OF CALIFORNIA
WATER RESOURCES CONTROL BOARD
STATE BOARD OF DRINKING WATER

TO: Stallion Springs Community Services District
27800 Stallion Springs Drive.
Tehachapi, CA 93561

Attn: Lori Rodgers, Manager
Stallion Springs Community Services District

CERTIFIED MAIL

**CITATION FOR VIOLATION OF CALIFORNIA CODE OF REGULATIONS,
TITLE 22, SECTION 64426.1(b)(2) - WATER SYSTEM NO. 1510025**

July 2015

C I T A T I O N NO. 03-19-15C-017

Issued on September 21, 2015

STATEMENT OF FACTS

Stallion Springs Community Services District Water System (hereinafter Water System) is classified as a community water system and serves a population of approximately 2488 persons through 1240 service connections. The Water System operates under the authority of Permit Number 03-19-13P-013, issued on August 7, 2013, by the California Department of Public Health (now State Water Resources Control Board).

Section 116650 of the California Health and Safety Code authorizes the issuance of a citation to a public water system for violation of the California Safe Drinking Water Act (Health and Safety Code, Division 104, Part 12, Chapter 4, commencing with

1 Section 116270) (hereinafter "California SDWA"), or any regulation, standard, permit
2 or order issued or adopted thereunder.

3
4 The State Water Resources Control Board (hereinafter "State Board"), acting by and
5 through its Division of Drinking Water and the Deputy Director for the State Board of
6 Drinking Water, hereby issues a citation to Stallion Springs Community Services
7 District (mailing address: 27800 Stallion Springs Drive, Tehachapi, CA 93561) for
8 violation of California Code of Regulations (CCR), Title 22, Section 64426.1
9 subsection (b)(2).

- 10
- 11 • The Water System collects four (4) routine distribution system bacteriological
12 samples per month.
 - 13 • One (1) out of four (4) routine bacteriological quality samples collected on July
14 15, 2015, from the distribution system, tested positive for total coliform
15 bacteria.
 - 16 • All five (5) quarterly samples (required due to chlorination treatment) collected
17 on July 15, 2015, from five (5) system wells (Well P-17, Well Y-23, Leisure
18 Well, Cummings Valley Well #1, and Cummings Valley Well #2), tested
19 negative for total coliform bacteria.
 - 20 • Two (2) out of three (3) repeat bacteriological quality samples collected on
21 July 17, 2015, from the distribution system, tested positive for total coliform
22 bacteria.
 - 23 • Stallion Springs Community Services District Water System failed the
24 total coliform maximum contaminant level (MCL) for July 2015 [Section
25 64426.1(b)(2), *Authorities*].
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- 1 • On July 20, 2015, Al White, *Designated Operator* for the Water System,
2 notified the State Board by telephone that the Water System failed the total
3 coliform MCL for July 2015.
- 4 • On July 20, 2015, Tank #7, of which serves the area of the total coliform
5 positive samples, was disinfected.
- 6 • Three (3) special samples collected on July 21, 2015, from the distribution
7 system, and three (3) Ground Water Rule triggered source samples collected
8 from Well P-17, Well Y-23, and Leisure Well, tested negative for total
9 coliform bacteria. One (1) Ground Water Rule triggered source sample
10 collected on the same day from Cummings Valley Well #2, tested positive for
11 total coliform bacteria.
- 12 • On July 24, 2015, four (4) additional source samples collected from Well P-17,
13 Well Y-23, Leisure Well, and Cummings Valley Well #2, tested negative for
14 total coliform bacteria.
- 15 • None of the total coliform positive samples collected in July 2015, tested
16 positive for *E. coli* bacteria.
- 17 • On August 11, 2015, a public notice and Certification of Completion of Public
18 Notification were emailed to the Water System, for the July 2015 total coliform
19 MCL failure.
- 20 • On August 17, 2015, the State Board received signed and dated copies of the
21 Certification of Completion of Public Notification and the public notice.
22 According to these documents, public notification was completed on August
23 17, 2015.
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- 1 • On August 11, 2015, an investigation report was emailed to the Water System,
2 for the July 2015 total coliform MCL failure.
- 3 • On August 27, 2015, the State Board received a completed copy of the
4 investigation report. The investigation report was completed by Al White.
5 According to the investigation report, a possible cause of the total coliform
6 positive samples was described as very low chlorine residual in the storage
7 tank (#7).
- 8 • All four (4) routine bacteriological samples collected from the distribution
9 system, during the month of August 2015, tested negative for total coliform
10 bacteria.
- 11 • Results of all (source and distribution) bacteriological samples collected from
12 January 2015 to August 2015 are summarized in **Attachment A**.

AUTHORITIES

16 Section 116577 of the CHSC, states in relevant part:

17 “(a) Each public water system shall reimburse the State Board for the actual costs incurred by the
18 State Board for any of the following enforcement activities related to that water system:

- 19 (1) Preparing, issuing, and monitoring compliance with, an order or citation.
- (2) Preparing, and issuing public notification

20 ...

21 (b) The State Board shall submit an invoice for these enforcement costs to the public water system
22 that requires payment prior to September 1 of the fiscal year following the fiscal year in which the costs
23 were incurred. The invoice shall indicate the total hours expended, the reasons for the expenditure, and
24 the hourly cost rate of the State Board. The costs set forth in the invoice shall not exceed the total actual
25 costs to the State Board of the enforcement activities specified in this section.”...

26 Section 116650 of the CHSC, states in relevant part:

27 “(a) If the State Board determines that a public water system is in violation of this chapter or any
regulation, permit, standard, citation, or order issued or adopted thereunder, the State Board may issue a
citation to the public water system. The citation shall be served upon the public water system personally
or by certified mail. Service shall be deemed effective as of the date of personal service
or the date of receipt of the certified mail. If a person to whom a citation is directed refuses to accept
delivery of the certified mail, the date of service shall be deemed to be the date of mailing.

(b) Each citation shall be in writing and shall describe the nature of the violation or violations,
including a reference to the statutory provision, standard, order, citation, permit, or regulation
alleged to have been violated.

(c) A citation may specify a date for elimination or correction of the condition constituting the violation.

(d) A citation may include the assessment of a penalty as specified in subdivision(e).

(e) The State Board may assess a penalty in an amount not to exceed one thousand dollars (\$1,000) per day for each day that a violation occurred, and for each day that a violation continues to occur. A separate penalty may be assessed for each violation."

Section 116655 of the CHSC, states in relevant part:

(a) Whenever the State Board determines that any person has violated or is violating this chapter, or any permit, regulation, or standard issued or adopted pursuant to this chapter, the director may issue an order doing any of the following:

(1) Directing compliance forthwith.

(2) Directing compliance in accordance with a time schedule set by the State Board.

(3) Directing that appropriate preventive action be taken in the case of a threatened violation.

(b) An order issued pursuant to this section may include, but shall not be limited to, any or all of the following requirements:

(1) That the existing plant, works, or system be repaired, altered, or added to.

(2) That purification or treatment works be installed.

(3) That the source of the water supply be changed.

(4) That no additional service connection be made to the system.

(5) That the water supply, the plant, or the system be monitored.

(6) That a report on the condition and operation of the plant, works, system, or water supply be submitted to the State Board.

California Code of Regulations (hereinafter, CCR), Title 22, Section 64423, Table 64423-A establishes the minimum routine sampling requirements, and states in relevant part:

<i>Monthly Population Served</i>	<i>Service Connections</i>	<i>Minimum Number of Samples</i>
25 to 1000	15 to 400	1 per month
1,001 to 2,500	401 to 890	2 per month
2,501 to 3,300	891 to 1,180	3 per month
3,301 to 4,100	1,181 to 1,460	4 per month
4,101 to 4,900	1,461 to 1,750	5 per month
4,901 to 5,800	1,751 to 2,100	6 per month
5,801 to 6,700	2,101 to 2,400	7 per month
6,701 to 7,600	2,401 to 2,700	2 per week
7,601 to 12,900	2,701 to 4,600	3 per week
12,901 to 17,200	4,601 to 6,100	4 per week
17,201 to 21,500	6,101 to 7,700	5 per week
21,501 to 25,000	7,701 to 8,900	6 per week
25,001 to 33,000	8,901 to 11,800	8 per week
33,001 to 41,000	11,801 to 14,600	10 per week
41,001 to 50,000	14,601 to 17,900	12 per week
50,001 to 59,000	17,901 to 21,100	15 per week

CCR, Title 22, Section 64426.1 establishes the total coliform maximum contaminant level and states in relevant part:

"(a) Results of all samples collected in a calendar month pursuant to Sections 64423, 64424, and 64425 that are not invalidated by the State Board or the laboratory shall be included in determining compliance with the total coliform MCL. Special purpose samples such as those listed in 64421(b) and samples collected by the water supplier during special investigations shall not be used to determine compliance with the total coliform MCL.

(b) A public water system is in violation of the total coliform MCL when any of the following occurs:

- (1) For a public water system which collects at least 40 samples per month, more than 5.0 percent of the samples collected during any month are total coliform-positive; or
- (2) For a public water system with collects fewer than 40 samples per month, more than one sample collected during any month is total coliform-positive; or
- (3) Any repeat sample is fecal coliform-positive or *E. coli*-positive; or
- (4) Any repeat sample following a fecal coliform-positive or *E. coli*-positive routine sample is total coliform-positive.

(c) If a public water system is not in compliance with paragraphs (b)(1) through (4), during any month in which it supplies water to the public, the water supplier shall notify the State Board by the end of the business day on which this is determined, unless the determination occurs after the State Board office is closed, in which case the supplier shall notify the State Board within 24 hours of the determination. The water supplier shall also notify the consumers served by the water system. A Tier 2 Public Notice shall be given for violations of paragraphs (b)(1) or (2), pursuant to section 64463.4. A Tier 1 Public Notice shall be given for violations of paragraphs (b)(3) or (4), pursuant to section 64463.1."

DETERMINATIONS

Based upon the above *Statement of Facts and Authorities*, the State Board has determined that the Stallion Springs Community Services District Water System has violated the following:

1. CCR, Title 22, Section 64426.1(b)(2); Specifically, the Water System violated the total coliform MCL for July 2015, when more than one sample collected in July 2015, tested positive for total coliform bacteria.

The above violation is classified as a non-continuing violation.

DIRECTIVES

Stallion Springs Community Services District is hereby directed to take the following actions:

1. Cease and desist from failing to comply with Section 116555(a) of the California Health and Safety Code (CHSC) and Section 64426.1(b)(2), of Title 22, California Code of Regulations.

- 1 2. The Water System shall reimburse the State Board, in accordance with an
2 invoice that shall be provided to the Water System, the costs for enforcement
3 activities, and such reimbursement shall be made prior to September 1 (or by a
4 different date if specified by the State Board) of the fiscal year following the
5 fiscal year in which such costs are incurred as described in CHSC Sections
6 116577(a)(1-2) and 116577(b).

7 **FURTHER ENFORCEMENT ACTIONS**

8 Section 116270, Chapter 4, Part 12, State Board 104 of the CHSC authorizes the State
9 Board to: issue additional citations with assessment of penalties if a public water
10 system continues to fail or correct a violation identified in a citation; take action to
11 suspend or revoke a permit that has been issued to a public water system if the system
12 has violated applicable law or regulations or has failed to comply with orders of the
13 State Board; and petition the superior court to take various enforcement measures
14 against a public water system that has failed to comply with orders of the State Board.
15 The State Board does not waive any further enforcement action by issuance of this
16 citation.

17
18 **PARTIES BOUND**

19 This citation shall apply to and be binding upon Stallion Springs Community Services
20 District, its officers, directors, agents, employees, contractors, successors, and
21 assignees.

22
23 **SEVERABILITY**

24 The directives of this citation are severable, and Stallion Springs Community Services
25 District shall comply with each and every provision thereof, notwithstanding the
26 effectiveness of any other provision.

27

CIVIL PENALTIES

Section 116650, subsections (d) and (e) of the CHSC allow for the assessment of a civil penalty for failure to comply with the requirements of the Safe Drinking Water Act. Failure to comply with any provision of this Citation may result in the State Board imposing an administrative penalty of in an amount not to exceed one thousand dollars (\$1,000) per day as of the date of violation of any provision of this Citation.

Sep. 21, 2015
Date

Jaswinder S. Dhaliwal
Jaswinder S. Dhaliwal, P.E.
Senior Sanitary Engineer
Drinking Water Field Operations Branch

Certified Mail No. 7013 3020 0002 2497 9555

ATTACHMENT

Attachment A: Summary of Bacteriological Samples Collected from January 2015 – August 2015

CC: Kern County Environmental Health Services Department (w/o attachment)
Al White, Designated Operator Stallion Springs CSD (via e-mail)

JSD/dc

Attachment A

Stallion Springs CSD

1510025

Source Monitoring Freq: Qtrly.

<i>Sample Date</i>	<i>Time</i>	<i>Source</i>	<i>T Coli</i>	<i>E Coli</i>	<i>F Coli</i>	<i>Violation</i>	<i>Comment</i>
4/9/2015	8:05	P-17 Well	A	A			
5/1/2015		4 Well Samples	A	A			
5/18/2015	10:06	Superior Sod Well	A	A			
7/12/2015		Well Cumming Valley #2, P-17,	A	A			
7/15/2015		Well P-17, Y-23, Leisure, Cum	A	A			
7/21/2015		Well P-17, Y-23, Leisure, Cum	A	A			
7/21/2015	8:51	Cumming Valley Well #1	P	A			
7/24/2015		Well P-17, Y-23, Leisure, Cum	A	A			

Stallion Springs CSD

1510025

Distribution System Freq: 4/M

Sample Date	Time	Location	T Coli	E Coli	F Coli	Type	Cl2	Violation	Comment
1/1/2015		4 Samples	A	A		Routine	0.90 - 1.18		
2/1/2015		4 Samples	A	A		Routine	0.90- 1.18		
3/1/2015		4 Samples	A	A		Routine	0.19-0.72		
4/1/2015		4 Samples	A	A		Routine	0.18-0.45		
5/1/2015		4 Samples	A	A		Routine	0.09-0.32		
6/1/2015		4 Samples	A	A		Routine	0.40-0.52		
7/1/2015		3 Samples	A	A		Routine	0.03-0.88		
7/15/2015	11:55	Sample Site #9, 27281 B	P	A		Routine	0.11		
7/17/2015	8:52	Sample Site #9, 27281 B	P	A	MCL	Repeat	0.10		Citation 03-19-15C-017 Issued
7/17/2015	8:55	Downstream, 17700 Buc	P	A		Repeat	0.10		
7/17/2015	8:55	Upstream, 27201 Buckp	A	A		Repeat	0.12		
7/21/2015	9:30	Downstream, 17700 Buc	A	A		Other	0.46		
7/21/2015	9:36	S.S. #9 27281 Buckpass	A	A		Other	0.27		
7/21/2015	9:40	Upstream, 27201 Buck	A	A		Other	0.20		
8/1/2015		4 Samples	A	A		Routine	0.71-1.37		

